

**REMARKS**

Claims 1-6, 10-18 and 22-49 are pending and under consideration.

**ITEM 8: ALLOWABLE SUBJECT MATTER**

The Action indicates that claims 1, 3-6, 13, 15-18, 25, 27-29, 31-32, 37-38, 40-41, 46-47, and 49 are allowed. (Action at page 9).

Applicant thanks the Examiner for the indication of allowable subject matter.

**ITEM 3: REJECTION OF CLAIMS 2, 11-12, 14, 24, AND 26 UNDER 35 U.S.C. 102(b) AS BEING ANTICIPATED BY OKAMOTO (U.S.P. 5,627,655)**

In item 3, pages 2-4 of the current Action, the Examiner rejects claims 2, 11-12, 14, 24, and 26 under 35 U.S.C. 102(b) as being anticipated by Okamoto.

Claim 2 recites an image processing apparatus including “a storage device recording screen information of picture information; and an image controlling circuit controlling input and output of picture information, comprising: a copy guard detecting circuit detecting a copy guard signal, indicating a copying prohibition, included in an input video signal of picture information, a video decoding circuit digitizing the input video signal, and an image processing circuit preventing from storing screen information digitized by said video decoding circuit to said storage device, in a case where said copy guard detecting circuit detects the copy guard signal, wherein the picture information input from a first device is stored at the storage device in order to record and the stored picture information is outputted in order to reproduce.”

Claim 11 recites an apparatus including “a storage device, wherein screen information of picture information and picture information stored at the storage device is outputted to reproduce; and an image controlling circuit controlling screen information which is recorded at said storage device, comprising: a video encoding circuit encoding the screen information and outputting a video signal, and a prohibiting circuit preventing said video encoding circuit from outputting the video signal, in a case where the screen information is protected from copying.”

Claim 12 recites an apparatus including a storage device “wherein screen information of picture information and picture information stored at the storage device is outputted to reproduce; and an image controlling circuit controlling screen information which is recorded at a said storage device, comprising: a video encoding circuit adding a copy guard signal, indicating a copying prohibition, in a case where the screen information is protected from copying, encoding the screen information and outputting a video signal.”

Claims 14 and 26 recite a method and a program, respectively, using claim 14 as an

example, including "detecting a copy guard signal, indicating a copying prohibition, included in an input video signal; digitizing the input video signal; and preventing a storing of screen information, in a case where the copy guard signal has been detected, wherein picture information input from a first device is stored at a storage device in order to record and the stored picture information is outputted in order to reproduce."

Claim 24 recites a method including "recording digitized screen information; outputting the digitized screen information as a video signal; and adding a copy guard signal, indicating a copying prohibition, to the output video signal, in a case where the screen information is protected from copying; and outputting picture information stored at a storage device to reproduce."

Applicant submits that these features are not taught by the cited art.

Okamoto merely teaches that when a copy is permitted to be done only once, (col. 4 lines 20-21) "copy inhibition is determined and recording is not carried out." (Emphasis added).

In item 9 entitled Response to Arguments, the Examiner contends that copying prohibition is taught in Okamoto citing FIG. 1 and col. 3, lines 22-25 contending Okamoto teaches :

inhibition of recording operation in the case of detecting from the inputted video signal copy guard or information indicating copying prohibition or inhibition operation.

(Current Action at page 9).

The Examiner further contends that Okamoto teaches:

picture information input from the first device being stored at the storage device in order to record and the stored picture information being outputted in order to reproduce as specified in the present claims 2, 14, and 26. (See the capability of recording and reproducing the inputted video signal to and from the storage means when copy inhibition signal is not detected from the inputted video signal as shown in Okamoto et al's Figure 1, components 1, 14, and 2).

(Emphasis added).

Applicant respectfully submits that the Examiner is incorrect in these contentions regarding Okamoto. In col. 3, lines 9-22, Okamoto et al. does not disclose storing information when a copy guard signal is detected, but merely when a signal is not detected. Okamoto teaches merely (col. 4, starting at line 7) a signal of "00" when a copy need not be limited, that is, a condition where there is no copy guard signal.

Applicant also submits that Okamoto expressly teaches away from storage when a copy

guard signal --i.e., inhibition of copying -- is detected that:

[W]hen the recording/reproducing control circuit 4 has determined inhibition of copy, it inhibits . . . recording operation per se.

(See, col. 3, lines 23-25).

#### **Conclusion**

Since features of claims 2, 12, 14, 24, and 26 are not taught by the cited art, the rejection should be withdrawn and claims 2, 12, 14, 24, and 26 allowed.

#### **ITEM 3: REJECTION OF CLAIM 11 UNDER 35 U.S.C. 102(b) AS BEING ANTICIPATED BY OKAMOTO**

In item 3, pages 2-4 of the current Action, the Examiner rejects claim 11 under 35 U.S.C. 102(b) as being anticipated by Okamoto.

Claim 11 recites an apparatus including "a storage device, wherein screen information of picture information and picture information stored at the storage device is outputted to reproduce; and an image controlling circuit controlling screen information which is recorded at said storage device, comprising: a video encoding circuit encoding the screen information and outputting a video signal, and a prohibiting circuit preventing said video encoding circuit from outputting the video signal, in a case where the screen information is protected from copying."

Applicant submits that the features are not taught by Okamoto.

Applicant respectfully points out the Examiner previously conceded in the Office Action of October 22, 2003 , that Okamoto fails to teach:

. . . preventing the video encoding circuit form outputting the video signal in the case where an output of screen information stored in the storage device is ordered, and in the case where the information is protected from copying.

#### **Conclusion**

Since features of claims 11 are not taught by the cited art, the rejection should be withdrawn and claim 11 allowed.

#### **ITEM 4: REJECTION OF CLAIMS 10, 22-23, 33, AND 42 UNDER 35 U.S.C. 102(B) AS BEING ANTICIPATED BY KITAZAWA HIROAKI. (P.N. 09083920)**

The Examiner rejects claims 10, 22-23, 33, and 42 under 35 U.S.C. 102(b) as being anticipated by Kitazawa Hiroaki.

Claim 10 recites an apparatus including "a storage device recording screen information of picture information; and an image controlling circuit controlling screen information which is recorded at said storage device, comprising: an image processing circuit reducing the screen information, to deteriorate an image quality, in a case where the screen information is protected

from copying, and a video encoding circuit encoding the screen information and outputting a video signal."

Claim 22 recites a method including "recording digitized screen information; reducing the digitized screen information to deteriorate quality of an image, in a case where the digitized screen information is protected from copying; and outputting a video signal of the screen information." Claim 23 recites a method including "recording digitized screen information; preventing outputting of a video signal, in a case where the screen information is protected from copying; and outputting picture information stored at a storage device to reproduce."

Dependent claims 33 and 42 recite an apparatus and method, respectively, using claim 33 as an example, "wherein the screen information is reduced by at least one of pixel reduction, line reduction, and frame reduction."

Applicant submits that features are not taught by the cited art.

Kitazawa Hiroaki merely teaches a reproducing apparatus (video printer) and that when a copy guard signal is detected printing out "characters to the recording part."

### **Conclusion**

Since features of claims 10, 22-23, 33, and 42 are not taught by the cited art, the rejection should be withdrawn and claim 10, 22-23, 33, and 42 allowed.

### **ITEM 6: REJECTION OF CLAIMS 30, 35-36, 39, 45, AND 48 UNDER 35 U.S.C. 103(a) AS BEING UNPATENTABLE OVER OKAMOTO IN VIEW OF THE ADMITTED PRIOR ART, FIGURE 2, AND DESCRIBED AT PAGES 3-4, OF THE PRESENT APPLICATION (APA)**

The Examiner rejects claims 30, 35-36, 39, 45, and 48 under 35 U.S.C. 103(a) as being unpatentable over Okamoto in view of APA.

Dependent claim 30 recites an apparatus "wherein the inputted picture information is displayable on a screen of a display device without a deterioration of image quality both when the image processing circuit is prevented, and not prevented, from storing screen information."

Dependent claims 35-36, 39, and 45 recite an apparatus and a method computer-readable storage storing a computer-readable program respectively, using claim 35 as an example, "wherein inputted picture information is displayable on a screen of a display device without being reduced both when the screen information is both protected, and not protected, from copying."

Although the Action concedes that Okamoto does not teach inputted information

displayable on a screen of a display device without a deterioration of image quality both when the image processing circuit is prevented, and not prevented, from storing screen information, the Examiner contends the features are taught by APA and it is obvious to modify Okamoto "to be able to view the inputted video data on a display means at any desired time." (Action at page 7).

Applicants submit there is no reasonable chance of success in modifying the recording apparatus as taught by Okamoto to display video regardless of whether a copy guard signal is detected, as the Examiner contends.

### **Conclusion**

Since there is not reasonable chance of success to combine the cited art and prima facie obviousness is not established , the rejection should be withdrawn and claims 30, 35-36, 39, 45, and 48 allowed.

### **ITEM 7: REJECTION OF CLAIMS 34 AND 43-44 UNDER 35 U.S.C. 103(A) AS BEING UNPATENTABLE OVER KITAZAWA HIROAKI IN VIEW OF THE APA**

The Examiner rejects claims 34 and 43-44 under 35 U.S.C. 103(a) as being unpatentable over Kitazawa Hiroaki in view of the APA.

Dependent claims 34 and 43-44 respectively recite an apparatus and a method wherein inputted picture information is displayable on a screen of a display device without being reduced both when the screen information is both protected, and not protected, from copying.

Although the Action concedes that Kitazawa does not teach inputted information displayable on a screen of a display device without a deterioration of image quality both when the image processing circuit is prevented, and not prevented, from storing screen information as specified in the present claims 34, and 43-44, the Examiner contends the features are taught in the APA it would have been obvious to modify Kitazawa's recording/reproducing apparatus.

Applicants submit there is no reasonable chance of success in modifying the video printer as taught by Hiroaki to display inputted video data as the Examiner contends.

### **Conclusion**

Since there is not reasonable chance of success to combine the cited art and prima facie obviousness is not established , the rejection should be withdrawn and claims 30, 35-36, 39, 45, and 48 allowed.

### **CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the

application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: February 22, 2005 By:

  
Paul W. Bobowiec

Registration No. 47,431

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501